

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

WHITNEY NATIONAL BANK,)	
)	
Plaintiff,)	
)	CIV. ACT. NO. 2:07cv415-ID
v.)	
)	
HIGHWAY SOLUTIONS, LLC, et al.,)	
)	
Defendants.)	

ORDER

Before the court is a Notice of Stay of Proceedings (Doc. No. 18), by which Defendants Michael C. Marcato and Anne S. Marcato notify the court that they have filed a Chapter 11 bankruptcy petition. Accordingly, it is CONSIDERED and ORDERED that, pursuant to 11 U.S.C. § 362(a), this litigation with respect to Defendants Michael C. Marcato and Anne S. Marcato be and the same is hereby STAYED.

It is further CONSIDERED and ORDERED that Plaintiff National Whitney Bank show cause, if any there be, on or before July 26, 2007, why the automatic stay should not be applied to Defendant Highway Solutions, Inc. ("Highway Solutions"). Any Defendant who desires to be heard on the issue of extending the stay to Highway Solutions also is permitted to submit his, her or its position on or before July 26, 2007. See, e.g., Queenie, Ltd. v. Nygard Intern., 321 F.3d 282, 287 (2nd Cir. 2003) (observing that 11 U.S.C. § 362(a) extends to non-debtors "when a claim against the non-debtor will

have an immediate adverse economic consequence for the debtor's estate," such as when the claim seeks "to establish an obligation of which the debtor is a guarantor") (citation omitted).

DONE this 18th day of July, 2007.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE